## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE SUBOXONE (BUPRENORPHINE : MDL NO. 2445 HYDROCHLORIDE AND NALOXONE) : 13-MD-2445

ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:,

Wisconsin, et al. v. Indivior Inc. et al. Case No. 16-cv-5073

STATE OF WISCONSIN

By Attorney General Brad D. Schimel, et al.

: CIV. A. NO. 16-5073

Plaintiffs,

**v.** 

INDIVIOR INC. f/k/a RECKITT BENCKISER: PHARMACEUTICALS, INC., et al.:

Defendants.

## <u>ORDER</u>

**AND NOW**, this 3<sup>rd</sup> day of December, 2021, upon consideration of the End-Payor Plaintiffs' Second Motion for Approval of Form and Manner of Notice (Doc. No. 773), Defendant's Response (Doc. No. 776), and the End-Payor Plaintiffs' Reply (Doc. No. 779), I find as follows:

- The Court has subject matter jurisdiction over this Action and has personal jurisdiction over each of the parties,
- 2. The proposed form and manner of notice to members of the End-Payor Plaintiff Class set forth in the Amended Proposed Class Action Notice Program, along with the proposed methods of dissemination of notice described in the Amended Class Action Notice Program, satisfy the requirements of Rule 23(e) and due process, are otherwise fair and

reasonable, and therefore are approved. Class Counsel shall cause notice via email and/or first-class mail to those members of the Class who can reasonably and economically be identified, and by publication in print media and digital media placements, as set forth in the Amended Class Action Notice Program, as follows:

- a. **Publication Notice:** Shall commence within twenty-one (21) days of the date of this Order and shall be completed within ninety (90) days after the date of this Order.
- b. Third-Party Payor ("TPP") Direct Mail Notice: Shall occur within twenty-one (21) days after the date of this Order.
- c. Subpoenas for names, addresses, and email addresses of potential Consumer Class Members: Shall be served within twenty-one (21) days after the date of this Order upon the top six PBMs, the ten largest TPPs, the top ten chain store pharmacies, and the top five mail order pharmacies, as identified in the accompanying Memorandum Opinion.
- d. Consumer Class Direct Mail Notice: Shall occur within ninety (90) days after the date of this Order.
- e. **Opt-Out Period Close:** Shall occur within forty-five (45) days after service of the Consumer Class Direct Mail Notices.
- 3. The Court appoints A.B. Data, Ltd. to serve as Notice Administrator and to assist Class Counsel in disseminating the Notice.
- 4. The Notice Administrator shall provide a Declaration of Completion of Notice Dissemination to Class Counsel. Class Counsel shall file this Declaration with the Court.
- 5. The Notice Administrator shall provide copies of all Requests for Exclusion from the Class to Class Counsel and Defendant's Counsel as those are received. Class Counsel shall file those Requests for Exclusion with the Court and under seal.

WHEREFORE, it is hereby ORDERED that Plaintiff's Motion to Approve the Form and Manner of Notice is **GRANTED** as set forth above.

**BY THE COURT:** 

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.